

STATE LAW

MCL 400.10
MCL 552.1101 - 552.1901

**FEDERAL
REGULATION**

45 CFR 305.1
45 CFR 305.24 - 305.25
45 CFR 305.31 - 305.33
45 CFR 305.35 - 305.37

Prosecutors must develop and maintain a written set of instructions which describe the actions to be taken for each IV-D function performed by their child support enforcement personnel. Such instructions will not only fulfill federally mandated requirements but can be of invaluable assistance in acquainting new personnel with local methods used in administering the child support program.

Following is a listing by topic of items which should be included in local procedural manuals.

**Safeguarding
Information (Item
140)**

1. Methods by which client confidentiality will be protected.
2. Methods by which noncustodial parent confidentiality will be protected.
3. Representation of noncustodial parents (PA 96-010)

**Referrals (Item
200)**

1. Method of referring to the support specialist individuals who contact the prosecutor's office directly to apply for support services.
2. Method of recording referrals received from the support specialist. The method must include client name, date referral was received, and type of action required (e.g., paternity, family support, UIFSA).
3. Follow-up activities for referrals pending over 30 days.

**Locating Non-
Custodial Parents
(Item 210)**

1. Identification and use of appropriate local locating resources.
2. Identification of persons (positions) responsible for performing locating activities.
3. Conditions for performing locating activities:
 - a) Where to start;
 - b) When to request support specialist assistance; and
 - c) When to utilize the State Parent Locator Service.
 - d) Parental kidnapping

**Establishing
Paternity (Item
230)**

1. Specific steps for processing a paternity case starting with receipt of a paternity referral and ending with case disposition.

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| | <ol style="list-style-type: none">2. Whether the prosecutor or support specialist bears the responsibility for submitting the FIA-76, Confinement Expenses Request.3. Conditions and procedures for acknowledgment, stipulation and blood testing, including who pays for testing and when the putative father will pay such costs.4. Guidelines for entering into a paternity settlement.5. Procedures to be followed when the putative father or complainant resides outside of Michigan.6. Time frames for interviewing the client, attempting a voluntary acknowledgment, and completion of paternity action.7. Method of determining support amount via a support payment schedule, or referral to the FOC. |
| Establishing Obligations (Item 240) | <ol style="list-style-type: none">1. Specific steps for processing each type of legal action starting with receipt of the referral and ending with case disposition.2. Conditions for entering into divorce actions.3. Methods of obtaining service of process.4. Follow-up on case progress, including time frames for action.5. Method of determining support amount via the Michigan Child Support Formula, or referral to the FOC.6. Procedures for obtaining and reporting health care coverage.7. Notification to the support specialist of case disposition.8. Transmittal of orders to the FOC. |
| UIFSA (Item 260) | <ol style="list-style-type: none">1. Specific steps for filing initiated UIFSA actions starting with receipt of the referral and ending with case disposition.2. Follow-up with responding states.3. Specific steps for filing responding UIFSA actions, including UIFSA actions for establishing paternity, starting with receipt of the referral and ending with case disposition.4. Method of determining support amount via a support payment schedule, or referral to the FOC.5. Locating efforts, if needed.6. Time frames for each initiating and responding activity. |

	7. Challenge to registration.
Administrative Hearings (Item 270)	1. Guidelines for attending administrative hearings that concern child support.
	2. Guidelines for representing FIA at administrative hearings that concern child support.
Fraud (Item 280)	1. Identify the position that will handle child support related fraud.
	2. If child support related fraud handle as part of CR, include conditions and procedures for action.
CR Contracts	1. Method used to account for splitting of time and other costs between CR and non-CR functions.
	2. Identify positions responsible for maintaining such records.
Reporting (Item 310)	1. Methods used to identify and count cases and activities reported on the FIA-285 (Wayne County only) or the Prosecuting Attorney's Quarterly Report.
	2. Identify position responsible for completing and submitting the FIA-285.
	3. Method used to account for expenditures reported on the FIA-286, Title IV-D Cooperative Reimbursement Expenditure Report.
	4. Process for completing and submitting the FIA-286, including identification of positions involved in the process.